

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION**

<b>UNITED STATES OF AMERICA</b>	§	
	§	
<b>VS</b>	§	<b>CASE NO. 17-CR-153-01</b>
	§	
<b>ALVARO ROMERO</b>	§	

**DEFENDANT’S UNOPPOSED MOTION TO DEFER ACCEPTANCE OF  
DEFENDANT’S GUILTY PLEA BY DISTRICT COURT**

Defendant Alvaro Romero, moves this Honorable Court to enter an order deferring acceptance of his guilty plea. In support thereof, defendant respectfully shows the following:

**I.**

On August 6, 2018, defendant appeared before U.S. Magistrate Judge Keith F. Giblin for a CHANGE of PLEA hearing. Defendant was informed of rights, and entered a plea of guilty to Counts 1 and 2.

U.S. Magistrate Judge Keith Giblin has not issued his Findings of Facts and Recommendation on defendant’s guilty plea. As such, this court has not accepted the defendant’s guilty plea, and defendant has not been adjudged guilty.

On August 10, 2018, co-defendant Worrell filed a Motion to Suppress Wiretap Evidence in this case (Dkt. 172). The Court’s granting of this motion may result in a favorable resolution in defendant’s case.

Therefore, Mr. Romero respectfully requests this honorable Court enter an order deferring acceptance of his guilty plea until a ruling has been made on co-defendant's Motion.

This motion is not sought for purposes of delay or to impede justice but is made in good faith in accordance to Mr. Romero's rights provided him by the United States Constitution.

## II.

Counsel has conferred with Assistant United States Attorney Chris Rapp and he is **unopposed to this motion.**

WHEREFORE PREMISES CONSIDERED, Defendant respectfully requests that the court issue an order deferring acceptance of his guilty plea.

Respectfully submitted,

By: /s/ Gerardo S. Montalvo  
**GERARDO S. MONTALVO**  
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**ATTORNEY FOR DEFENDANT**

**CERTIFICATE OF CONFERENCE**

By my signature below, I do hereby certify that I conferred with Assistant United States Attorney Chris Rapp and he advised he is **unopposed to this motion.**

/s/ Gerardo S. Montalvo  
**GERARDO S. MONTALVO**

**CERTIFICATE OF SERVICE**

By my signature below, I do hereby certify that a true and correct copy of the above and foregoing instrument was served on all known filing users by electronic mail via ECF/NEF and via U.S. First Class Mail and/or hand delivery to all other counsel of record on this the 20<sup>th</sup> day of August, 2018.

/s/ Gerardo S. Montalvo  
**GERARDO S. MONTALVO**